THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.1620 of 2006

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DATED: 30-01-2006

Between:

P.Geetha . . .Petitioner

And

The Commissioner and Director of School Education,

AP, Hyderabad, -cum- Chairman, DIET CET, 2005,

and others . . .Respondents

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O R D E R:

The petitioner appeared in the entrance examination for selection of candidates for the course of Diploma in Education (D.Ed.) of two years duration. She secured 57th rank and she belongs to BC-'B' category. She was not selected for admission. On an earlier occasion, she filed WP.No.26839 of 2005 complaining that though a seat, which is earmarked for Scheduled Caste candidates was available, her case was not considered. The writ petition was disposed of on 26-12-2005 directing that in case, there exists a vacant seat and if the petitioner is eligible to be admitted against it, her case shall be considered, along with other qualified candidates, within two weeks from the date of receipt of that order. In pursuance of the orders passed by this Court, the second respondent passed an order, dated 02-01-2006, stating *inter-alia*, that the seat is earmarked for Scheduled Caste female candidates and there are as many as ten candidates belonging to that category were available between the ranks 370 and 407. It was further observed that the admissions have been completed by the end of October, 2005 and it is not feasible to undertake any further exercise, at this stage. The petitioner challenges the said order.

Heard the learned counsel for the petitioner and learned Government Pleader for School Education.

Admittedly, the vacant seat in the said course is earmarked for Scheduled Caste candidates. Such a seat can be made available to other candidates, if only the candidates belonging to that category are not available. In the impugned letter, the second respondent has clearly stated that as many as ten

female candidates belonging to the Scheduled Caste category are available. Therefore, the question of making that seat available for other categories does not arise. The second important factor is that nearly four months have elapsed, since the course has commenced and the admissions were closed. Even assuming that there is a vacant seat against which, the case of the petitioner can be considered, it is difficult to undertake such an exercise, at this stage. The Supreme Court, time and again, insisted that admissions in the midstream of the courses must be discouraged and in fact, proceeded to prescribe a schedule for the medical courses, at various stages. Viewed from any angle, this Court does not find any basis to grant any relief to the petitioner.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

30th JANUARY, 2006.

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